

000FORM PTO-1390
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 22,852
ATTORNEY'S DOCKET NUMBER**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

02814.0071

U.S. APPLICATION NO.
(If known, see 37CFR 1.5)

10/521,463

INTERNATIONAL APPLICATION NO.

PCT/ZA2002/000115

INTERNATIONAL FILING DATE

July 17, 2002

PRIORITY DATE CLAIMED


TITLE OF INVENTION: **FOUNDATION STRUCTURE**APPLICANT FOR DO/EO/US: **John Terry PIDGEON**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
 - a. ☐ Copy of cover page of International Publication No. **WO 2004/007848 A1**.
 - b. ☒ Copy of Notification of Missing Requirements.

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|---|--------------|--|------------|--|-----------------|
| U.S. APPLICATION NO. (If known, see 37CFR 1.5) 10/521,463 | | INTERNATIONAL APPLICATION NO. PCT/ZA2002/000115 | | ATTORNEY'S DOCKET NUMBER 02814.0071 | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | Applicant Use | Office Use Only |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): | | | | \$ | |
| National Stage Search Fee..... | | | | \$ | |
| National Stage Examination Fee..... | | | | \$ | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of additional 50 or fraction thereof (rounded up to a whole number) | Rate | | |
| 12 - 100 = 0 | /50 = | | x 250.00 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 | \$130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 18 | - 20 = | x \$50.00 | \$ | |
| Independent Claims | 4 | - 3 = | x \$200.00 | \$ | |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ | |
| TOTAL OF THE ABOVE CALCULATIONS = | | | | \$130.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$65.00 | |
| SUBTOTAL = | | | | \$65.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). | | | | <input type="checkbox"/> 20 <input type="checkbox"/> 30 | \$ |
| TOTAL NATIONAL FEE = | | | | \$65.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$65.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>65.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315 EFC/FPD/sci DATED: August 15, 2005 | | | | | |
| | | | |  SIGNATURE Ernest F. Chapman/25,961 NAME/REGISTRATION NO. | |

08/18/2005 MKAYPAGH 00000147 10521463

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UNITED STATES PATENT AND TRADEMARK OFFICE

10/521, 463 of 2
15 AUG 2005

REC'D PCT/PTO

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/521,463

FIRST NAMED APPLICANT

John Terry Pidgeon

ATTY. DOCKET NO.

02814.0071

INTERNATIONAL APPLICATION NO.

PCT/ZA02/00115

IA. FILING DATE

07/17/2002

PRIORITY DATE

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

CONFIRMATION NO. 2247

371 FORMALITIES LETTER

OCO00000016260269

OC000000016260269

Date Mailed: 06/13/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/18/2005
- Copy of the International Search Report filed on 01/18/2005
- Information Disclosure Statements filed on 01/18/2005
- Small Entity Statement filed on 01/18/2005
- Copy of references cited in ISR filed on 01/18/2005
- U.S. Basic National Fees filed on 01/18/2005
- Specification filed on 01/18/2005
- Claims filed on 01/18/2005
- Drawings filed on 01/18/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/521,463 | PCT/ZA02/00115 | 02814.0071 |

FORM PCT/DO/EO/905 (371 Formalities Notice)